

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Anthony K. Jones,

Civil 13-1862 MJD/FLN

Plaintiff,

v.

**O R D E R**

University of Minnesota, Crookston,

Defendant.

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The above-entitled matter comes before the Court on Plaintiff's objections to the Report and Recommendation of Magistrate Judge Franklin L. Noel dated September 18, 2013.

Pursuant to statute, the Court has conducted a de novo review of the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based on that review, the Court will adopt the Report and Recommendation in its entirety.

**IT IS HEREBY ORDERED** that:

1. Plaintiff's application to proceed in forma pauperis, (Docket Nos. 2 and 8) is **DENIED**;

2. This action is **SUMMARILY DISMISSED** pursuant to 28 U.S.C. §

1915A(b);

3. Plaintiff is required to pay the unpaid balance of the court filing fee, namely \$343.23, in accordance with 28 U.S.C. § 1915(b)(2);

4. Plaintiff's motion to appoint counsel, (Docket No. 4) is **DENIED**; and

5. For purposes of 28 U.S.C. § 1915(g), this action is dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted.

LET JUDGMENT BE ENTERED ACCORDINGLY

DATED: October 25, 2013.

s/ Michael J. Davis

MICHAEL J. DAVIS

Chief Judge

United States District Court